

Came To Hand

## UNITED STATES DISTRICT COURT

APR 11 2008

WESTERN DISTRICT OF TEXAS

6:00 AM

HITUL GANDHI, Individually and on Behalf  
of a Class of Others Similarly Situated,

Plaintiffs,

-VS-

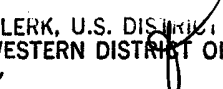
DELL INC. and DELL MARKETING USA,  
L.P.

Defendants.

## SUMMONS IN A CIVIL CASE

CASE NUMBER: **A08CA 248LY****FILED**

To: **DELL, INC.**  
Corporation Service Company, Registered Agent  
701 Brazos Street, Suite 1050  
Austin, Texas 78701

APR 24 2008  
CLERK, U.S. DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
BY   
DEPUTY CLERK

**YOU ARE HEREBY SUMMONED** and required to serve upon:

J. Derek Braziel  
LEE & BRAZIEL, L.L.P.  
1801 N. Lamar Street, Suite 325  
Dallas, Texas 75202  
214-749-1400 (phone)  
214-749-1010 (fax)

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

**WILLIAM G. PUTNICKI**

APR 1 2008

CLERK

DATE

(By)  DEPUTY CLERK

GAO 440 (Rev. 10/93) Summons in a Civil Action

**Affidavit  
Attached****RETURN OF SERVICE**

A08CA 248LY

|  |  |
|--|--|
| Service of the Summons and complaint was made by me <sup>(1)</sup> | DATE<br><u>April 11, 2008 @ 11:30 AM</u> |
| NAME OF SERVER (PRINT)<br><u>Jefferson Kerton</u>                  | TITLE<br><u>Process Server SCH-0735</u>  |

Check one box below to indicate appropriate method of service

- ☐ Served personally upon the third-party defendant. Place where served: \_\_\_\_\_
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.  
Name of person with whom the summons and complaint were left: \_\_\_\_\_
- ☐ Returned unexecuted: \_\_\_\_\_
- ☒ Other (specify): \_\_\_\_\_

**Affidavit**  
**Attached**

## STATEMENT OF SERVICE FEES

| TRAVEL | SERVICES | TOTAL |
|--------|----------|-------|
|--------|----------|-------|

## DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on

April 11, 2008  
Date

Signature of Server

809 Rio Grande, Ste 103, Austin, TX.  
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

## AFFIDAVIT OF SERVICE

Came to hand on the 11th day of April, 2008, at 7:00 o'clock am.  
Cause No. A08CA 248LY

Executed at 701 Brazos Street, Suite 1050 Austin, Texas 78701  
within the County of Travis at 11:30 o'clock am on the 11th day  
of April, 2008, by delivering to the within named:

DELL, INC.,

by delivering to its Registered Agent, CORPORATION SERVICE COMPANY,  
by delivering to its designated agent, SUSAN A. VERTREES, in person, a true  
copy of this Summons in a Civil Case with Plaintiff's Original Complaint and  
Certificate of Interested Parties attached, having first endorsed upon such  
copy of such Summons the date of delivery.

I am not a party to or interested in the outcome of the suit referenced above.  
I am authorized by written order to serve citation and other notices. I am not  
less than eighteen (18) years of age.

Service Fee \$60.00

HITUL GANDHI, Individually and on  
Behalf of a Class of Others  
Similarly Situated,

Plaintiff

V.  
DELL INC. AND DELL MARKETING USA,  
L.P.,

Defendant

By: 

Jefferson R. Keyton ID# SCH-735  
(Authorized Person)

THOMAS PROCESS

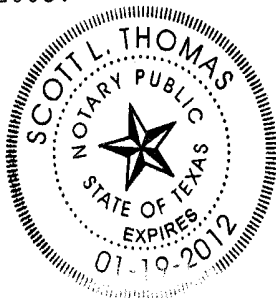
809 Rio Grande Street  
Suite 103  
Austin, Texas 78701  
(512) 320-8330

### VERIFICATION


STATE OF TEXAS §  
COUNTY OF TRAVIS §

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared  
**Jefferson R. Keyton**, known to me to be the person whose name  
is subscribed to the foregoing document and, being by me first duly sworn,  
declared that the statements therein contained are true and correct.

Given under my hand and seal of office this 16th day of  
April, A.D., 2008.



37773/Gandhi

  
NOTARY PUBLIC, STATE OF TEXAS